

REMARKS

This amendment is submitted in response to the non-final Office Action mailed on January 18, 2005. Claims 1-13 and 17-21 are pending in this application. Claims 6-13, 19 and 21 are allowed. In the Office Action, Claim 17 are rejected under 35 U.S.C. §102 and Claims 1-5, 18 and 20 are rejected under 35 U.S.C. §103. In response Claims 1, 17 and 20 have been amended. This amendment does not add new matter. In view of the amendments and/or for the response set forth below, Applicants respectfully submit that the rejections should be withdrawn.

In the Office Action, Claim 17 is rejected under 35 U.S.C. §102 as anticipated by U.S. Patent No. 4,564,350 to Holmes (“*Holmes*”) or U.S. Patent No. 4,123,207 to Dudley (“*Dudley*”). Applicants respectfully disagree with and traverse these rejection for at least the reasons set forth below.

With respect to Claim 17, *Holmes* fails to disclose or suggest a die plate comprising a fluid inlet passage and a fluid outlet passage as required by Claim 17. For example, Figure 3, #116 and #118, are referenced in the Office Action as disclosing a fluid inlet and a fluid outlet passage. However, #116 and #118 are directed to a die housing portion #60, which is not the die plate. See, *Holmes*, column 5, line 68 to column 6, line 5. The Patent Office also alleges that #38 in *Holmes* refers to a die plate. However, Applicants respectfully submit this interpretation is erroneous. In actuality, #38 represents the die assembly (i.e. a set of assembled parts), and #96 represents the die plate. See, *Holmes*, column 5, lines 8-10 and lines 32-34. The die assembly #38 of *Holmes* comprises the die plate #96. See, *Holmes*, column 5, lines 45-46. Consequently, the die plate #96 itself has no fluid inlet passage and fluid outlet passage as disclosed by Claim 17.

Applicants have amended Claim 17 to include a fluid inlet passage separate from a fluid outlet passage. The amendment is fully supported in the specification. In contrast to the present claim, *Dudley* fails to disclose or suggest a die plate comprising a fluid inlet passage and a separate fluid outlet passage according to the present claims. For example, Figure 3, numbers 404 and 406, are referenced in the Office Action as disclosing a fluid inlet and a fluid outlet passage. However, numbers 404 and 406 refer to a single passage and not separate fluid inlet and fluid outlet passages. See, *Dudley*, column 4, lines 8-13.

Accordingly, Applicants respectfully request that the rejection of Claim 17 under 35 U.S.C. §102 be withdrawn.

Claim 18 is rejected under 35 U.S.C. §103 as being unpatentable over *Holmes* in view of U.S. Patent No. 2,764,952 to Meakin ("*Meakin*"). Applicants respectfully submit that the patentability of Claim 17 renders moot the obviousness rejection of Claim 18. In this regard, the cited art fails to teach or suggest the elements of Claim 18 in combination with the novel elements of Claim 17.

In the Office Action, Claims 1-2, 4-5 and 20 are rejected under 35 U.S.C. §103 as being unpatentable over *Holmes* in view of U.S. Patent No. 5,110,523 to Guggiari ("*Guggiari*") or *Dudley* in view of *Guggiari*. Claim 3 is rejected under 35 U.S.C. §103 as being unpatentable over *Holmes* and *Guggiari* in view of U.S. Patent No. 2,764,952 to Meakin ("*Meakin*") or *Dudley* and *Guggiari* in view of *Meakin*. Applicants believe these rejections are improper for at least the reasons set forth below.

Applicants have amended Claims 1 and 20 to include a fluid inlet passage separate from a fluid outlet passage. As discussed above, *Holmes* fails to disclose or suggest a die plate comprising a fluid inlet passage and separate a fluid outlet passage. *Guggiari* fails to disclose or suggest same. Further, *Dudley* also fails to disclose or suggest a die plate comprising a fluid inlet passage and a separate fluid outlet passage according to the present claims. As a result, the combination of *Holmes* and *Guggiari* or *Dudley* and *Guggiari* does not teach, suggest, or even disclose the present claims, and thus, fails to render the claimed subject matter obvious for at least these reasons. Thus, Applicants respectfully submit that Claims 1 and 20 and Claims 2-5 that depend from Claim 1 are novel, non-obvious and distinguishable from the cited references. The patentability of Claim 1 renders moot the obviousness rejection of Claim 3.

Accordingly, Applicants respectfully request that the obviousness rejections with respect to Claims 1-5 and 20 be reconsidered and the rejection be withdrawn.

Appln. No. 10/030,567

Reply to Office Action of January 18, 2005

For the foregoing reasons, Applicants respectfully request reconsideration of the above-identified patent application and earnestly solicit an early allowance of same.

Respectfully submitted,

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